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W.P.Nos.6902, 6904 and 6906 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2024

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.Nos.6902, 6904 and 6906 of 2024

Dr.C.M.Bavithiran

.... Petitioner in W.P.No.6902 of 2024

Dr.K.Deepakraja

.... Petitioner in W.P.No.6904 of 2024

Dr.T.Abdul Muhaimin

.... Petitioner in W.P.No.6906 of 2024

Vs

1.The State of Tamil Nadu

Represented by its Principal Secretary,
Health and Family Welfare Department,
Secretariat, Chennai - 600 009.

2.Directorate of Medical Education and Research,

Represented by the Director of Medical Education and Research,
Kilpauk, Chennai - 600 010.

3.Directorate of Public Health and Preventive Medicine,

Represented by its Director of Public Health and
Preventive Medicine,
359, Anna Salai, Chennai - 600 006.

4. Tamil Nadu Medical Services Corporation Limited

represented by its Chairman,
No.417, Pantheon Road, Egmore, Chennai – 600 008.



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5. Tirunelveli Medical College,
Represented by its Dean
Highground, Tirunelveli – 627 011.

.... Respondents in the above

W.Ps.

6. Government Hospital,
Represented by Joint Director of Health Service,
Manamadurai, Sivaganga – 630 606.

.... Respondent in W.P.No.6902 of 2024

6. Government Primary Hospital Centre,
Represented by its Joint Director of Health Service,
Athani, Erode.

.... Respondent in W.P.No.6904 of 2024

6. Government Medical College,
Represented by its Dean,
Tiruppur.

.... Respondent in W.P.No.6906 of 2024

Common Prayer: Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing R1 to R6 to treat the petitioners' two-year compulsory bond period as completed in line with the service rendered during the Covid-19 period and to consequently relieve the petitioners from the bonded service in the 6th respondent hospital and also to direct the 1st and 5th respondents to return the Petitioners' original certificates and documents collected by the 1st and 5th respondents while admitting the petitioners to the post graduate degree course along with their post Graduate degree certificates.



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In all W.Ps.

For Petitioner : Mr.M.G.Pranavacharan

For Respondents : Mr.M.Bindran

Additional Government Pleader

COMMON ORDER

Mr.M.Bindran, learned Additional Government Pleader accepts notice for the respondents and is armed with instructions to enable final disposal of these Writ Petitions, even at the stage of admission.

2. The prayer of the petitioners is to release them from compulsory bond, and return of original certificates as, according to the petitioners, the services rendered by them during covid period would more than suffice to enable the prayer sought. The petitioners have produced covid duty certificates in support of their submission as aforesaid. In addition, the petitioners rely on a series of Government orders.

3. Since the petitioners have made the same request as made before this Court by way of representations dated 22.01.2024 (Dr.C.M.Bavithiran – sent through registered post), 13.03.2024 (Dr.K.Deepakraja - sent through registered post) and 14.03.2024 (Dr.Abdul Muhaimin.T- sent through e-mail), Mr.Bindran, would agree that the Director of Medical Education/R2 will consider the



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representations and pass orders expeditiously.

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4. Hence, mandamus is issued to R2 to consider the representations of the petitioners in light of the prevailing Government Orders as applicable to the candidates. For this purpose, the petitioners shall appear before R2 on any working day between 25.03.2024 and 12.04.2024 between working hours without awaiting any further notice in this regard.

5. R2 shall give audience to the petitioners, hear them and pass orders on their representation in accordance with law and all prevailing Government Orders, within a period of three (3) weeks from date of their personal hearing.

6. These Writ Petitions are disposed as above. No costs.

21.03.2024

Index:Yes/No
Speaking order
Neutral Citation:Yes
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To

1.The State of Tamil Nadu
Represented by its Principal Secretary,
Health and Family Welfare Department,
Secretariat, Chennai - 600 009.



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2. Directorate of Medical Education and Research,
Represented by the Director of Medical Education and Research,
Kilpauk, Chennai - 600 010.

3. Directorate of Public Health and Preventive Medicine,
Represented by its Director of Public Health and
Preventive Medicine,
359, Anna Salai, Chennai - 600 006.

4. Tamil Nadu Medical Services Corporation Limited
represented by its Chairman,
No.417, Pantheon Road, Egmore, Chennai – 600 008.

5. Tirunelveli Medical College,
Represented by its Dean
Highground, Tirunelveli – 627 011.

6. Government Hospital,
Represented by Joint Director of Health Service,
Manamadurai, Sivaganga – 630 606.

7. Government Primary Hospital Centre,
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Dr.ANITA SUMANTH,J.

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